



GP2877

DOCKET NO. P02477US2 (P0479-R2-US)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Wright et al. ART UNIT: 2877
SERIAL NO: 09/309,157 EXAMINER:
FILED: May 10, 1999
TITLE: NEAR INFRARED SPECTROMETRY FOR REAL TIME
ANALYSIS OF SUBSTANCES

#5/IDS
pnasika
8/17/00

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION
(37 CFR 1.97(B))**

RECEIVED

Commissioner of Patents and Trademarks
Washington, D.C. 20231

JUL 27 2000
TECHNOLOGY CENTER 2800

Dear Sir:

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first

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CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

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37 CFR 1.8(a)

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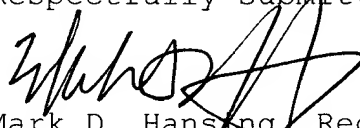
July 20, 2000

Wanda R. Webb

Office action on the merits, whichever event occurs last. 37
CFR 1.97(b).

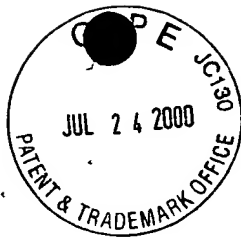
It is not believed that any fee is due with this response.
If any fee has been inadvertently overlooked please charge
deposit account #26-0084.

Respectfully submitted,



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Assistant Commissioner For Patents
Washington, D.C. 20231

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**List of Sections Forming Part of This
Information Disclosure Statement**

1. ☒ Preliminary Statements
2. ☒ FORM PTO-1449 (Modified) 2 sheet(s)
3. ☐ Statement As To Information Not Found In Patents or Publications
4. ☒ Identification of Prior Application In Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☒ Concise Explanation of Non-English Language Listed Information Items
8. ☒ Translation(s) of Non-English Language Documents

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Date: July 20, 2000

Wanda Webb
Wanda R. Webb

9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

Section 1. Preliminary Statements

Applicant(s) submit(s) herewith patents, publications or other information of which he/they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1134 O.G. 13-25, at 25.

Section 2. Form PTO-1449 (Modified)

Attached to this statement is 2 sheet(s) of Form PTO-1449.

Section 3. Statement As To Information Not Found In Patents Or Publications (Information Not Listed In PTO-1449)

Section 4. Identification of Prior Application In Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted

This application relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. 09/075,614, now issued patent No. 5,991,025, filed on May 11, 1998. All listed references on the enclosed PTO 1449 form except those listed immediately below were submitted to and/or cited by the Office in this prior application and, therefore, are not required to be provided in this application but are cited by applicant on attached Form PTO-1449:

all listings on PTO1449 except:

4,400,086	5,751,421
4,752,689	5,991,025
5,038,040	WO 92/15192
5,040,889	WO 85/00087
5,448,069	

Derwent 89-276737138 for SU1467-470

Section 5. Cumulative Patents Or Publications

STATEMENT

List A is/are cumulative of list B below of patents or publications listed on Form PTO 1449 (modified).

LIST A

LIST B

In accordance with 37 CFR 1.98(c) a copy of only the following items is being submitted with this Information Disclosure Statement. Not applicable.

Section 6. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed accompany this information statement.

- ☒ Exception(s) to above.
- ☒ Items in prior application from which an earlier filing date is claimed for this application as identified in Section 4.
- ☐ Cumulative patents or publications identified in Section 5.
- ☐ Items not available to applicant(s) (see Section 7).

Section 7. Concise Explanation of Non-English Language Listed Information Items

- a. For Soviet Patent SU1467470A1 was cited in U.S. 5,991,024 and 5,751,421 see Derwent Publication 89/276737/38 listed on attached Form 1449.

Section 8. Translation(s) of Non-English Language Documents

- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material.
- ☒ No English language translation of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above if any.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

Section 9. Concise Explanation of Listed Information Items

For items specifically listed in Section 4, see attached Preliminary Search Report from PCT Searches 98/05105 and 99/10195, except for (1) 5,751,421 and 5,991,025 which are issued patents from related application to the present application and (2) Derwent 89-276737138 which pertains to previously cited SU1467470A1.

Section 10. Identification of Person(s) Making THIS INFORMATION DISCLOSURE STATEMENT

The person making this statement is

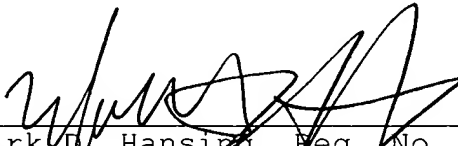
- (a) ☐ the inventor(s) who sign(s) below

(INVENTOR'S NAME)

- (b) ☒ the attorney who signs below on the basis of:

- ☒ the information supplied by the inventor(s)
☐ an individual associated with the filing and prosecution of this application (37 CFR 1.56(c))
☒ the information in the attorney's file.

Respectfully submitted,



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ZARLEY, MCKEE, THOMTE,
VOORHEES & SEASE
Attorneys of Record

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Des Moines, Iowa 50309-2721
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515-282-6778

Attachments:

- PTO Form 1449 [2 sheet(s)]
- Cited Art